



School Administrative Unit 67
Bow and Dunbarton, New Hampshire School Districts
55 Falcon Way
Bow, NH 03304-4219

Ms. Marcy Kelley
Superintendent of Schools

Mr. Duane C. Ford
Business Administrator

Ms. Jessica Brown
Director of Student Services

Mr. Owen Harrington
Director of Curriculum

By Hand Delivery and Certified Mail

NO TRESPASS ORDER

September 19, 2024

Kyle Fellers

Redacted: home address

Bow, NH 03304

Dear Mr. Fellers:

I am writing to inform you that you are hereby prohibited from entering the buildings, grounds, and property of the Bow School District, including but not limited to all school administrative office buildings, parking lots, and athletic fields, until further notice. You are also prohibited from attending any Bow School District athletic or extra-curricular event, on or off school grounds.

The reason for this action is your conduct during the girls varsity soccer game on Tuesday, September 17, 2024. Specifically, prior during the soccer game you led a protest regarding the participation of a transgender female student on the other team. The protest was designed to and had the effect of intimidating, threatening, harassing, and discouraging that student as well as any other students from playing.

School Board policy KFA requires that attendees at sporting events and extracurricular activities demonstrate mutual respect, civility, and orderly conduct. The policy prohibits any person from threatening, harassing, or intimidating any staff member, sports official or coach, or any other person. The policy also states that no person shall "impede, delay, disrupt, or otherwise interfere with any school activity." The District had to obtain additional police presence to ensure order. The District had to order you to leave the fields during the game, and as a result of your "protest" and other actions, play was temporarily stopped. Upon leaving the playing field, you proceeded to the parking lot and continued to waive a large sign in protest to the participation of the student from the other team. Police intervention was required as a result of your actions.



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The District is required by law to comply with its obligations under Title IX to ensure that any individual participating in school activity, program or event is protected from unlawful discrimination. The Bow School District as well as both state and federal laws prohibit discrimination and harassment on the basis of sex against any employee, student, or individual participating in school programs, activities, or events. Your conduct violated the prohibition against discrimination and harassment, which includes students on other teams.

This NO TRESPASS Order will remain in effect for the remainder of the fall sports season. If you are found on District property in violation of this order you will be arrested and prosecuted for Criminal Trespass under New Hampshire law, RSA 635:2. (copy attached). If you violate this order, the prohibition may also be extended until the end of the school year.

Please direct any questions regarding this Order to my office.

Sincerely,

Marcy Kelley, Superintendent of Schools

Certificate of Service

I HEREBY CERTIFY that I have given in-hand a copy of this notice to

Kyle Fellers on the _____ day of _____ 2024.

Time: _____ Location of Service _____

Served By: _____

Print Name & Title Signature

TITLE LXII CRIMINAL CODE

CHAPTER 635 UNAUTHORIZED ENTRIES

Section 635:2

635:2 Criminal Trespass. –

- I. A person is guilty of criminal trespass if, knowing that he is not licensed or privileged to do so, he enters or remains in any place.
- II. Criminal trespass is a misdemeanor for the first offense and a class B felony for any subsequent offense if the person knowingly or recklessly causes damage in excess of \$1,500 to the value of the property of another.
- III. Criminal trespass is a misdemeanor if:
 - (a) The trespass takes place in an occupied structure as defined in RSA 635:1, III; or
 - (b) The person knowingly enters or remains:
 - (1) In any secured premises;
 - (2) In any place in defiance of an order to leave or not to enter which was personally communicated to him by the owner or other authorized person;
 - (3) In any place in defiance of any court order restraining him from entering such place so long as he has been properly notified of such order; or
 - (4) On any grounds, lands, or parking areas of any state correctional facility or transitional housing unit operated by the department of corrections without prior authorization or without a legitimate purpose associated with department of corrections operations.
- IV. All other criminal trespass is a violation.
- V. In this section, "secured premises" means any place which is posted in a manner prescribed by law or in a manner reasonably likely to come to the attention of intruders, or which is fenced or otherwise enclosed in a manner designed to exclude intruders.
- VI. In this section, "property," "property of another," and "value" shall be as defined in RSA 637:2, I, IV, and V, respectively.

Source. 1971, 518:1. 1979, 377:7. 2005, 125:1. 2010, 239:2, eff. July 1, 2010. 2020, 37:41, eff. Sept. 27, 2020.

